

Amendment No. 1 to SB0942

Johnson
Signature of Sponsor

AMEND Senate Bill No. 942*

House Bill No. 944

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-13-303, is amended by adding the following as a new, appropriately designated subsection:

(l)

(1) The commission shall require all new applicants for a license issued under this chapter, including but not limited to, a time-share license, on or after the effective date of this act to submit a complete and legible set of fingerprints, on a form prescribed by the commission or in such electronic format as to the commission may require, to the commission or to the Tennessee bureau of investigation for the purpose of obtaining a criminal background check from the Tennessee bureau of investigation and the federal bureau of investigation.

(2) The commission shall refuse to issue a license to a new applicant who does not comply with subdivision (l)(1); provided, however, a licensee who requests to renew an existing license issued under this chapter, or obtain a broker license after being licensed as an affiliate broker, shall not be required to submit a set of fingerprints.

(3) The commission shall conduct a criminal background check of each new applicant and new licensee described in subdivision (l)(1) by using information:

(A) Provided by the applicant or licensee under this subsection (l);

and

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(B) Made available to the commission by the Tennessee bureau of investigation, the federal bureau of investigation and any other criminal justice agency.

(4) The commission may:

(A) Enter into an agreement with the Tennessee bureau of investigation to administer a criminal background check required under this subsection (l); and

(B) Authorize the Tennessee bureau of investigation to collect from each applicant the costs incurred by the department in conducting the criminal background check.

SECTION 2. The Tennessee Real Estate Commission is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with title 4, chapter 5.

SECTION 3. For purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect, January 1, 2014, the public welfare requiring it.